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Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

F. G. CROSTHWAITE, et al., as Trustees of
the OPERATING ENGINEERS' HEALTH
AND WELFARE TRUST FUND, et al.

Plaintiffs,

v.

SPOSETO ENGINEERING, INC., a California
corporation,

Defendant.

Case No.: C12-5294 YGR

**NOTICE OF VOLUNTARY DISMISSAL;
AND ORDER RE SAME**

PLEASE TAKE NOTICE that pursuant to F.R.C.P. Rule 41(a)(1), Plaintiffs OPERATING ENGINEERS' HEALTH & WELFARE TRUST FUND, et al., voluntarily dismiss, without prejudice, their claim against Defendant SPOSETO ENGINEERING, INC., a California corporation. Defendant has neither served an answer nor moved for summary judgment, and Plaintiffs have not previously filed or dismissed any similar action against Defendant.

I declare under penalty of perjury that I am the attorney for the Plaintiffs in the above-entitled action, and that the foregoing is true of my own knowledge.

Executed this 8th day of January, 2013, at San Francisco, California.

SALTZMAN & JOHNSON
LAW CORPORATION

By: _____/s/

Michele R. Stafford
Attorneys for Plaintiffs

1 IT IS SO ORDERED.

2 This case is dismissed without prejudice.

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4 Date: January 15, 2013


YVONNE GONZALEZ ROGERS
UNITED STATES DISTRICT COURT JUDGE

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